

By: **Delegate Sophocleus**  
Introduced and read first time: February 26, 2003  
Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2                                   **Sentencing - Sexual Crimes Involving a Minor - Extending Term of**  
3                                   **Probation**

4 FOR the purpose of altering a court's authority to order probation under certain  
5 circumstances; authorizing a court to order a person convicted of certain sexual  
6 crimes involving a minor to a sentence of probation that may not exceed the  
7 maximum length of sentence for the crime; and generally relating to the term of  
8 probation.

9 BY repealing and reenacting, with amendments,  
10 Article - Criminal Procedure  
11 Section 6-222  
12 Annotated Code of Maryland  
13 (2001 Volume and 2002 Supplement)

14 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
15 MARYLAND, That the Laws of Maryland read as follows:

16                                   **Article - Criminal Procedure**

17 6-222.

18 (a) A circuit court or the District Court may:

19 (1) impose a sentence for a specified time and provide that a lesser time  
20 be served in confinement;

21 (2) suspend the remainder of the sentence; and

22 (3) EXCEPT FOR CRIMES UNDER SUBSECTION (C) OF THIS SECTION,  
23 order probation for a time longer than the sentence but not longer than:

24 (i) 5 years if the probation is ordered by a circuit court; or

25 (ii) 3 years if the probation is ordered by the District Court.

1 (b) The court may extend the probation beyond the time allowed under  
2 subsection (a) of this section if:

3 (1) the defendant consents in writing; and

4 (2) the extension is only for making restitution.

5 (C) (1) THE COURT MAY EXTEND THE PROBATION BEYOND THE TIME  
6 ALLOWED UNDER SUBSECTION (A) OR (B) OF THIS SECTION FOR A DEFENDANT  
7 CONVICTED OF:

8 (I) SEXUAL ABUSE OF A MINOR UNDER § 3-602 OF THE CRIMINAL  
9 LAW ARTICLE; OR

10 (II) A CRIME INVOLVING A MINOR UNDER §§ 3-303 THROUGH 3-307  
11 OF THE CRIMINAL LAW ARTICLE.

12 (2) THE COURT MAY ORDER PROBATION UNDER THIS SUBSECTION FOR  
13 A PERIOD OF TIME NOT TO EXCEED THE MAXIMUM PERIOD OF CONFINEMENT  
14 AUTHORIZED FOR THE CRIMES LISTED IN PARAGRAPH (1) OF THIS SUBSECTION.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
16 October 1, 2003.